STATUS OF THE CLAIMS

Claims 1-40 were originally filed in this patent application. In the pending office action dated 10/19/2007, claims 25-40 were rejected under 35 U.S.C. §101. Claims 1-40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's Admitted Prior Art (hereinafter "APA") in view of "RFC 2661-Layer Two Tunneling Protocol" written by W. Townsley *et al.* (hereinafter "Townsley"). No claim was allowed. In this amendment, claims 9-12, 21-24, 26-27 and 35-40 have been cancelled, and claims 8, 20, 25 and 34 have been amended herein. Claims 1-8, 13-20, 25 and 28-34 are currently pending.

REMARKS

Rejection of claims 25-40 under 35 U.S.C. §101

The examiner rejected claims 25-40 under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 26-27 and 35-36 have been cancelled herein. Claims 25 and 34 have been amended to include the limitations "computer-readable" and "recordable" media. As a result, claims 25, 28-34, and 37-40 recite statutory subject matter under 35 U.S.C. §101.

Rejection of claims 1-40 under 35 U.S.C. §103(a)

The examiner rejected claims 1-40 under 35 U.S.C. §103(a) as being unpatentable over APA in view of Townsley. Claims 9-12, 21-24, 26-27 and 35-40 have been cancelled herein and therefore need not be addressed. Each of the remaining claims is addressed below.

11

<u>Claim 1</u>

Claim 1 recites:

...the resource sharing mechanism including:
    a first mechanism that establishes a layer two tunneling protocol
(L2TP) tunnel
between the shared resource server and a client;
    a second mechanism that establishes an outgoing connection from
the client
through the shared resource via the L2TP tunnel using a plurality of
messages defined by a predefined L2TP protocol for the L2TP tunnel; and
    a third mechanism that establishes an incoming connection through
the shared resource to the client via the L2TP tunnel using a plurality of
messages defined by user-defined extensions to the L2TP protocol for the
L2TP tunnel.

In rejecting claim 1, the examiner states that all of these limitations listed above are

taught by Townsley. However this is not the case. Townsley is merely a description and

explanation of the layer two tunneling protocol (L2TP). While the L2TP protocol

discloses a tunnel and a way to establish an outgoing connection, the L2TP protocol does

not teach or suggest the third mechanism in claim 1 that establishes an incoming

connection through the shared resource to the client via the L2TP tunnel using a plurality

of messages defined by *user-defined extensions* to the L2TP protocol for the L2TP tunnel.

In rejecting the third mechanism in claim 1, the examiner merely cites to one portion of

Townsley that teaches user-defined extensions, then cites to a different portion of

Townsley that teaches ICRQ and ICRP commands. These two concepts in Townsley are

separate and distinct, and have no relationship to each other. In fact, the ability to provide

user extensions in Townsley does not teach "a plurality of *user-defined extensions* to the

L2TP protocol for the L2TP tunnel" that "establishes an incoming connection through the

shared resource to the client via the L2TP tunnel". The ICRQ and ICRP commands cited

by the examiner are provided in the L2TP protocol, and thus do not read on the user-

defined extensions in claim 1. The mere presence of user-defined extensions in Townsley

does not equate to an affirmative teaching of the specific user-defined extensions

12

expressly taught in claim 1. Because the ICRQ and ICRP commands in Townsley are provided in the protocol, and are therefore not user-defined extensions, and because the broad teaching of user-defined extensions in Townsley cannot read on the specific user-defined extensions taught in claim 1, claim 1 is allowable over the combination of APA and Townsley. Applicant respectfully requests reconsideration of the examiner's rejection of claim 1 under 35 U.S.C. §103(a).

Claims 13 and 25

Claims 13 and 25 include limitations similar to claim 1 and are therefore allowable for the same reasons given above. Applicants respectfully request reconsideration of the examiner's rejection of claims 13 and 25 under 35 U.S.C. §103(a).

Claims 8, 20 and 34

Claims 8, 20 and 34 have been amended herein to recite detailed limitations that are disclosed in FIG. 10 of applicant's drawings and in the corresponding portion of the specification. These claims as amended include AICRQ and AICRP commands that are user-extensions of the L2TP protocol, as well as IRCQ, IRCP and ICCN commands that are defined in the L2TP protocol. Nowhere does the cited art teach or suggest this unique combination of features in these claims. As a result, claims 8, 20 and 34 are allowable over the combination of APA and Townsley.

Claims 2-7, 14-19 and 28-33

Claims 2-7 depend on claim 1 which is allowable for the reasons given above. Claims 14-19 depend on claim 13 which is allowable for the reasons given above. Claims 28-33 depend on claim 25 which is allowable for the reasons given above. As a result, claims 2-7, 14-19 and 28-33 are allowable as depending on allowable independent

claims. Applicants respectfully request reconsideration of the examiner's rejection of claims 2-7, 14-19 and 28-33 under 35 U.S.C. §103(a).

Conclusion

In summary, none of the cited prior art, either alone or in combination, teach, support, or suggest the unique combination of features in applicants' claims presently on file. Therefore, applicants respectfully assert that all of applicants' claims are allowable. Such allowance at an early date is respectfully requested. The Examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

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